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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/590,341	LINDGREN ET AL.
	Examiner	Art Unit	
	SHAHEDA A. ABDIN	2629	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>05 September 2006</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-18,32-36 and 42-45</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-18,32-36 and 42-45</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>05 September 2006</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some * c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>8/23/06,3/10/08</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Priority

1.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which

papers have been placed of record in the file.

2.   Applicant's election with traverse of claims 1-10, 11-18, 32-36 and 42-45 in the

reply filed on 10/07/2008 has been acknowledged. Applicant's argument with respect to

claim 42 is persuasive and has been considered by the Examiner. Elected Claims 1-10,

11-18, 32-36 and 42-45 has been rejected for further consideration.

Claim Objections

3.   Claim 1 and 43 are objected to because of the following informalities: in claim I,

line 12, and claim 43 line 13, "the confirmation data" has been recited. Changing "the

confirmation data" to "the link confirmation data" would read the claim language better.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

5.   Claims 1-10, 11-18, 32-36, and 42-45 are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention.

6.   **In Claim 1**, the recited limitation "optionally.......system interface" in line 7 and

"characterized ......storing means" in lines 11 and 12, renders the claim indefinite

because it is unclear whether the limitation(s) following the phrase are part of the

claimed invention. See MPEP § 2173.05(d). The claim language of claims 1 fails to

claim with a reasonable degree of clarity.

        Example (1), "**optionally** indicating the link status", It is unclear how the link

status optionally indicating.

        Example (2), It is unclear how the link status image is **at least partly** a

predefined image.

        In claim2 , the recited limitation "a layout script ......the character identity" ,

renders the claim indefinite because it is unclear whether the limitation(s) following the

phrase are part of the claimed invention. See MPEP § 2173.05(d). The claim language

of claim 1 fails to claim with a reasonable degree of clarity.

        Example, it is unclear how the layout script means defines the character building

from character identity.

        In claim 2, recites the limitation "a layout script that defines how the characters

shall be built up on the display from **the character identity**" in lines 4-6. There are

insufficient antecedent basis for these limitation in the claim, because the limitation

"character identity" was not previously disclosed.

In claim 11, the recited limitation "at least one at least partly predefined by the
item ID", in lines 5-7, renders the claim indefinite. The claim language of claim 11 fails to
claim with a reasonable degree of clarity, because it is unclear whether the limitation(s)
following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

   Example, It is unclear how the link status image is 'at least one at least partly a
predefined image"

In claim 32, the recited limitation "Link status image is at least partly defined
by the ITEM ID", in lines 5-7, renders the claim indefinite because it is unclear whether
the limitation(s) following the phrase are part of the claimed invention. See MPEP
§ 2173.05(d). The claim language of claims 32 fails to claim with a reasonable degree of
clarity.

   Example, It is unclear how the link status image is "at least partly defined by
the ITEM ID".

In claim 33, the recited limitation "a layout script ……the character identity" in
lines 4-6, renders the claim indefinite because it is unclear whether the limitation(s)
following the phrase are part of the claimed invention. See MPEP § 2173.05(d). The
claim language of claim 33 fails to claim with a reasonable degree of clarity.

   Example, it is unclear how the layout script means defines the character building
from character identity (as recited in claim 2) or character information (as recited in
claim 33).

In Claim 43, the recited limitation "optionally…….system interface" in line 9 and
"characterized ......storing means" in lines 16—18, renders the claim indefinite because
it is unclear whether the limitation(s) following the phrase are part of the claimed
invention. See MPEP § 2173.05(d). The claim language of claims 43 fails to claim with
a reasonable degree of clarity.

Example (1), "**optionally** indicating the link status", It is unclear how the link
status optionally indicating.

Example (2), It is unclear how the link status image is **at least partly** defined by
the Item ID.

In Claim 5, recites the limitation **"intended"** in line 3", renders the claim
indefinite. It is not clear what the element "intended" Applicant refer to the claim. The
limitation must be clearly and positively recited in the claim.

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8.   Claims 1-3, 10-13, 18, 32-36, and 42-43 are rejected under 35 U.S.C.102(b) as

being anticipated by Goodwin et al. (US Patent No: 6047263 B1).

(1) Regarding claim 1:

Goodwin teaches a (in Fig. 1-3) method of linking an electronic information label

(i.e. EPL 22) comprising a display (i.e. 54) to an Item in an EIL system (i.e. 24)

comprising the steps (column 2, lines 36-60):

registering (recording) an EIL ID (i.e. EPL ID) for the EIL (i.e. EPL 22) (column 4,

lines 18-37, and Fig. 3),

registering (recording) an ITEM ID (ITEM ID) for the Item to be linked (assigned,

column 3, lines 1-3) with said EIL (column 4, lines 18-37),

storing (storing at 34, Fig. 1) the registered EIL ID and the ITEM ID as link data

in a link data register (i.e. 38) in the EIL system (i.e. 24) (column 3, lines 28-42),

Optionally indicating the link status (i.e. message for activating the display mode associated with EPL ID and ITEM ID) for the EIL (EPL) via a system interface (i.e. the corresponding line connection from the EPL system 16 to transaction server 12) (column 3, lines 5-27, and column 4, lines 35-45),

Sending (sends throw EPL control software 30, column 4, lines 55-60) link confirmation data (i.e. activating message for EPL ID or ITEM ID) from the EIL system (i.e. 24) to the EIL (e.g. 22) (column 4, lines 20-60),

Indicating (indicating at display), in response to the confirmation (verification) data (i.e. EPL ID or ITEM ID), the link status (i.e. message for activating the display mode associated with EPL ID and ITEM ID or ITEM information) for the EIL (EPL) by displaying a link status image (e.g. ITEM ID or Item information) on the EIL display (54, Fig. 2) (column 3, lines 5-27, and column 4, lines 35-45),

Characterize (describe) in that the link status image (e.g. ITEM ID or item information) is at least partly a predefined image (i.e. preload image,   ) stored (store at 34) in an EIL storing means (column 3, lines 5-27).

(2) Regarding claim 2:

Goodwin teaches Characterized (describe) in that the predefined image (i.e. preload image) is stored as characters in the EIL storing means (34) and that the image to be presented is created in response to the confirmation data (i.e. i.e. message for activating the display mode associated with EPL ID or ITEM ID) by use of

a layout script (i.e. EPL software) that defines how the characters shall be built up on

the display from the character identity (column 2, lines 44-63).

(3) Regarding claim 3:

Goodwin teaches in that the EIL display (54) is a dot matrix type display (i.e.

LCD display) (column 3, lines 63-64).

(4) Regarding claim 10:

Goodwin teaches that the link status image (i.e. ITEM ID or Item information) is

stored in the EIL storing means (60, see Fig. 4) whereby it is accessible (access to

operator) for confirmation (verification) of the link status (i.e. message for activating the

display mode associated with EPL ID or ITEM ID) at a later point in time (column 4,

lines 33-58).

(5) Regarding claim 11:

 Goodwin teaches an Electronic information label (i.e. EPL) comprising a display

(54, see Fig, 2), the EIL being arranged to indicate the link status (i.e. message for

activating the display mode associated with EPL ID and ITEM ID) for the EIL (EPL 22)

by displaying a link status image (e.g. ITEM ID or information) on the EIL display (54),

in response to link confirmation data (i.e. activating message for EPL ID or ITEM ID)

characterized in that the EIL (EPL 22) comprises EIL(i.e. EPL) storing means (34) for

storing at least one at least partly predefined image (preload image) to be displayed as

link status image (e.g. ITEM information)   when linking the EIL (EPL 22) to an Item

(e.g. any product or item) ((column 2, lines 36-60, and column 3, lines 5-27).

(6) Regarding claim 12:

Goodwin teaches in that the EIL storing means (i.e. 34) contains character

information (i.e. preload image) and that the EIL (EPL) comprises layout script means

(i.e. EPL software) that defines how characters shall be built up on the display from

character information (column 2, lines 44-63).

(7) Regarding claim 13:

Goodwin teaches in that the EIL display (i.e. 54) is a dot matrix type display (i.e.

LCD display) (column 3, lines 63-64).

(8) Regarding claim 18:

Goodwin teaches in that the EIL storing means (i.e. 34) are arranged to store the

link status image (ITEM information or ITEM ID) as long as said link is active (i.e in

operating mode) (column 4, lines 20-60).

(9) Regarding claim 32:

Electronic information label (EPL) comprising a display (i.e. 54), the EIL (i.e.

EPL) being arranged to indicate the link status (i.e. message for activating the display

mode associated with EPL ID and ITEM ID or ITEM information) for the EIL (EPL) by

displaying a link status image (e.g. ITEM information) on the EIL display (I.e. 54), in

response to link confirmation data (i.e. EPL ID or ITEM ID), characterized

in that the confirmation data comprises an ITEM ID (i.e. ITEM ID) of the Item to which

the EIL (EPL) is linked (connected), and that the link status image (i.e. ITEM

information) is at least partly defined by the ITEM ID (column 3, lines 5-27, and column

4, lines 35-45).

(10) Regarding claim 33:

Goodwin teaches in that the EIL storing means (i.e. 34) contains character

information (character for ITEM ID) and that the EIL (EPL) comprises

layout script means (i.e. EPL software) that defines how characters shall be built up on

the display from character information (column 2, lines 44-63).

(11) Regarding claims 34-36:

 Note the discussion above in claims 5, 8-9, the limitations of the claims 34-36

are   already discussed in claims 5, 8-9.

(12) Regarding claim 42:

Goodwin teaches that the Electronic information labeling system (i.e. EPL)

characterized in that it comprises a plurality of electronic information labels (i.e. EPL's

22) (see Fig. 1, also see Fig. 3) .

(13) Regarding claim 43:

Note the discussion in claim 1 above. The limitations of the claim 43 are already

discussed in claim 1.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

10.   Claims 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Goodwin in view of Kaya (US Patent No: 5455905).

(1) Regarding claim 4:

Note that Goodwin teaches the confirmation data ((i.e. activating message for

EPL ID or ITEM ID) is command (instruction) and the predefined images (i.e. preload

images) indicates corresponding link status (i.e. message for activating the display

mode associated with EPL ID and ITEM ID) to the user (operator) (column 3, lines 5-

27, and column 4, lines 20-60), but Goodwin does not disclose LINK ON or a LINK

OFF command indicates corresponding link status.

However, Kaya   teaches LINK ON or a LINK OFF command indicates

corresponding link status (column 4, lines 3-10, lines 62-67 and Fig. 2 and 5a-5b).

Therefore, it would have been obvious to one of ordinary skill in the art to

incorporate the method of command indicate link status as taught by Kaya into the

networking communication device (i.e. display) of Goodwin so that the confirmation

data could be comprised a LINK ON or LINK OFF command in the link status to the

user and the predefined   images could be indicated corresponding link status . In this

configuration the system could provide a high accuracy and efficient data transmission

with reduced time in the network communication (column 2, lines 35-37).

(2) Regarding claim 14:

Note the discussion in claim 4. The limitations of the claim 14 are already

discussed in claim 4.

11.   Claims 5-9, 15-17, 44-45 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Goodwin in view of Dorai (US Patent No: 7121469).

(1) Regarding claim 5:

Note that Goodwin teaches the link status image (i.e. Item ID), and display (54)

(column 2, lines 40-67), but Goodwin does not disclose that link status image

comprises a barcode section intended (projected) for displaying a barcode .

However, Dorai discloses that link status image   comprises a barcode section

intended (projected) for displaying   a barcode (i.e. items are displayed with barcode)

(column 4, lines 42-48, and column 11, lines 45- 55 also see Fig. 2-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to incorporate the method of displaying barcode as taught by Dorai in to the EIL (i.e. EPL) display system of Goodwin so that link status image (i.e. Item ID) could be comprised a barcode section intend for displaying a barcode. In this configuration the system would have a efficient image data transmission with minimum required time across the network devices (Dorai, column 3, limes 50-60).

(2) Regarding claim 6:

Note that Dorai teaches that the barcode section displays the barcode of the item (column 1, lines 42-48, also see Fig. 2-3) and Godwin teaches a display of the item to which the EIL (EPL) is linked (see the illustration in Fig. 3, the EPL ID is associated to a ITED ID, column 3, lines 45-54). Thus the references meet the claim limitations.

(3) Regarding claim 7:

Goodwin teaches that the confirmation data (verification data) comprises ITEM ID data for the linked item (column 3, lines 5-27, and column 4, lines 35-45),

(4) Regarding claim 8:

Dorai teaches in that the ITEM ID data corresponds to the barcode data of the Item (column 5, lines 42-48, also see Fig. 2-3).

(5) Regarding claim 9:

Dorai teaches in that the barcode data is a one dimensional data string (column 9, lines 33-34) and that the EIL (i.e. display for item information) is provided with means (decoder, column 11, lines 15-22) for transforming the data string into a graphical barcode (i.e. image) that is displayed (column 9, lines 33-34 and column).

(6) Regarding claims 15 and 16:

Note that the limitations of the claims 15-16 are already discussed in claims 5-6 respectively. See the discussion in claims 5-6.

(7) Regarding claim 17;

Dorai teaches the confirmation data (verification of Item data) comprises data defining the barcode of the linked item (i.e. item information) in the form of a one dimensional data string (i.e. single dimension barcode) and that the EIL ((i.e. display for item information) comprises with means (decoder) for transforming the data string into a graphical barcode (i.e. image) that is displayed (column 9, lines 33-34 and column).

(9) Regarding claim 44:

Note the discussion in claim 7. The limitations of the claim 44 are already discussed in claim 7.

(10) Regarding claim 45:

Note the discussion in claim 9. The limitations of the claim 45 are already

discussed in claim 9.

Conclusion

12.   The prior art made of record and not relied upon is considered pertinent to

Applicant's discloser.

Goodwin (US Patent No: 6021395) discloses a system and method of managing

displayed message priorities in an EPL system.

Inquiry

13.   Any inquiry concerning this communication or earlier communication from the

examiner should be directed to **Shaheda Abdin** whose telephone number is (571) 270-

1673.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, **Richard HJerpe** could be reached at (571) 272-7691. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about PAIR system, see http://pari-direct.uspto.gov. Should you have

questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shaheda Abdin

12/19/2008

●●●

/Regina Liang/

Primary Examiner, Art Unit 2629